

Republic of the Philippines  
Department of Transportation and Communications  
(PUNONGHIMPILAN TANOD BAYBAYIN NG PILIPINAS)  
Headquarters Philippine Coast Guard  
139 25<sup>th</sup> Street, Port Area  
Manila

HPCG/ O/CGJA

20 September 2001

**CIRCULAR**  
**NUMBER. 03**

**SPECIAL COUNSEL ALLOWANCE TO PCG LAWYERS  
AND INCENTIVES TO LEGAL OFFICERS**

**1.0 LEGAL BASIS**

1. Sec. 46 of RA 8760;
2. Approved DF of former Commandant PCG dated 14 February 2000;
3. Memorandum of TJAG to CSAFP dtd 25 March 97;
4. Sec. 6 of E.O. 477 dtd 15 April 98.

**2.0 PURPOSE**

- a. This Circular prescribes the procedures to be followed for the grant of Special Counsel Allowance to lawyers and incentives to legal officers;
- b. To enhance the morale and enthusiasm of PCG Lawyers;
- c. To augment their income and;
- d. To serve as additional enticement to civilian lawyers to enter the Coast Guard Judge Advocate Service( Legal Service)

### **3.0 DEFINITION OF TERMS**

**PCG LAWYERS** – refer to PCG Officers who are members of the Philippine Bar having been successfully passed the Philippine Bar Exams.

**PCG LEGAL OFFICERS** – are those PCG uniformed personnel who have graduated with the Bachelor of Laws degree not yet being members of the Philippine bar and are performing legal works who maybe considered “lawyers” for purposes of this circular and who are assigned with CG JAGS;

**CONCEPT OF LEGAL WORK** - Legal works consist of but not limited to the following:

- a. Attending trials whether in the Regular Courts of Justice, Tribunals, other government agencies , the Efficiency and Separation Board (ESB) and General Court Marshal (GCM) either as member of the Board, Trial Judge Advocate, Prosecutor, Defense Counsel or Secretary and other legal functions based on the legal definition in the decision of the Supreme Court in the case of CAYETANO v MONSOD 201SCRA 210; and
- b. Rendering legal opinions; and
- c. Preparing legal deeds e.g. contracts, MOA, Affidavits, etc.

### **4.0 COVERAGE**

For the purpose of this Circular, personnel who may be considered performing legal works are those who posses the following:

- 4.1 He must be a graduate of Bachelor of Laws from any reputable Law School;
- 4.2 He must be connected with the Office of the CGJA but who may be assigned with other Offices or Districts but on DS status or as collateral duty or functions;
- 4.3 He must be performing JAGS Work or Legal Work as defined in Item 2 (a).

## 5.0 GUIDELINES

5.1 The CGJA shall provide the CG-1 an update of the complete Roster of Troops of JAGS Officers; and

5.2 The CGJA shall issue the corresponding monthly certification of the Officers/Personnel currently performing Legal work; and are assigned with CG JAGS;

5.3 CG-1 shall issue the corresponding PCG Order to this effect;

5.4 Each Officer/Personnel shall, irregardless of rank or position receive P3, 000.00 per month.

## 6.0 APPLICABILITY

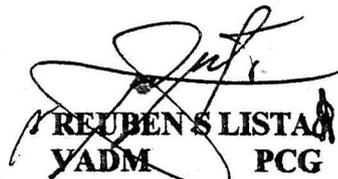
*& be effective upon approval.*  
This Circular shall have ~~retroactive effect from the time said SCA or incentive was withheld from them.~~

## 7.0 REPEALING CLAUSE

All existing rules, regulation, memorandum and directives inconsistent with this circular are deemed repealed.

## 8.0 EFFECTIVITY:

This Circular shall take effect upon approval of the Commandant, PCG.

  
REUBEN S LISTADO  
YADM PCG  
Commandant

<b>PHILIPPINE COAST GUARD DISPOSITION FORM</b>	<b>SECURITY CLASSIFICATION (if any)</b>
<b>FILE NUMBER: Odi</b>	<b>SUBJECT: Publication Request for</b>

TO: CG-1

FROM: ACGJA

DATE: 05 2001

RBR:OQA:edp-6235

**SUMMARY:**

1. Ref. CPCG Approved DF dtd 19 Sep '01.
2. Above ref pertains to the Special Counsel Allowance for PCG Lawyers and incentives to legal officers pursuant to Sec 46 of RA 8760.
3. In view of the approval of CPCG of the O/CGJA initiated proposed circular on the matter, ACGJA requests issuance of HPCG Order for publication of the same.

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